

IN THE DRAWINGS:

Please enter the amended Figure 4, included in the Appendix section of this Response and Amendment.

REMARKS

Claims 1-31 are pending in the application, including independent Claims 1, 11, 17, 20, 21 and 25. Claims 1-31 are rejected.

The above-referenced patent application has been reviewed in light of the Office Action, dated June 14, 2005 in which: the drawings are objected to pursuant to 37 C.F.R. 1.83(a); Claim 30 is rejected pursuant to 35 U.S.C. §112, first and second paragraphs; Claims 1-4, 10-14, 17, 20, 27, 30, and 31 are rejected pursuant to 35 U.S.C. §102(b) as being anticipated by Rose et al. (U.S. Patent No. 5,963,920); Claims 5, 15, 18 and 29 are rejected pursuant to 35 U.S.C. §103(a) as being unpatentable over Rose et al. and further in view of Salvo (U.S. Patent No. 6,341,271); Claim 6 is rejected pursuant to 35 U.S.C. §103(a) as being unpatentable over Rose et al. and further in view of Guerindon (U.S. Patent No. 5,193,065); Claims 11, 13, 17, and 20 are rejected pursuant to 35 U.S.C. §103(a) as being unpatentable over Rose et al. in view of Guerindon; and Claims 5-9, 15, 16, 18, 19, 21-26 and 28 are rejected pursuant to 35 U.S.C. §103(a) as being unpatentable over Rose et al. in view of Scotti (U.S. Patent No. 6,813,540).

Claims 30 and 31 have been amended to correct typographical errors. Reconsideration of the above-referenced patent application in view of the following remarks is respectfully requested.

The Examiner has objected to the Drawings pursuant to 37 C.F.R. 1.83(a) for not showing every feature of the claims. The Examiner has objected to the Drawings for lacking one act of claim 17. Although Applicant takes the position that each of the claimed features are adequately illustrated, an amended Figure 4 has been provided in response to the objection. It is respectfully submitted that this Figure and supporting, amended description of paragraph [0038a] in the specification are provided in response to the objection by the Examiner, and do not introduce any new matter. Because the drawings adequately illustrate features of the claims in accordance with 37 C.F.R. 1.83(a), it is respectfully requested that the Examiner withdraw his objection to the Drawings.

The Examiner has rejected Claim 30 pursuant to 35 U.S.C. §112, first and second paragraphs. Claim 30 has been amended to remove the recitation of priority level based on time

period. Although Applicant does not concede that Claim 30 is indefinite, amendments broadening the scope of Claim 30 have been made to the claim, and the amendments address the indefiniteness rejection by the Examiner. It is respectfully requested that the Examiner withdraw his rejection of Claim 30.

Independent Claim 1 claims “automatically generating and sending an electronic order to a supplier”. Rose et al. do not disclose these limitations. Rose et al. disclose providing a status of all box locations to the supplier (col. 2, lines 33-35 and 39-43; col. 5, lines 50-64; and Figure 7). The controller at the manufacturer receives status signals and transmits the status to the supplier (col. 5, lines 38-45). Software at the receiver then graphically displays information, such as “to ship” to replenish (col. 5, lines 50-53 and col. 6, lines 3-8 and 26-32). The current status and a display for shipping are provided by software at the supplier (col. 6, lines 23-27 and col. 7, lines 8-12). Rose et al. disclose the change in status when reordered parts reach the customer (col. 7, lines 13-18), but only provide for transmitting status information to the supplier. Supplier side software generates different status displays (Figures 7 and 8), so Rose et al. do not disclose automatically generating and sending an electronic order to a supplier.

Similarly, independent Claim 11 claims a processor operable to generate an electronic order in response to a sensor signal and the processor operable to communicate the order to a second processor. Rose et al. merely send sensor signals to the supplier, not an order. The supplier software generates displays, so an order is not communicated to a second processor.

Independent Claim 17 claims electronically communicating orders to a supplier, and is thus allowable for at least the same reasons discussed above for Claim 1.

Independent Claim 20 claims a processor operable to communicate orders to a supplier, and is thus allowable for at least the reasons discussed above for Claim 11.

Claims 2-10 and 27-30 depend from and include all the limitations of independent base Claim 1, as amended, and are thus in a condition for allowance for at least the same reasons as discussed for Claim 1.

Claims 12-16 and 31 depend from and include all the limitations of independent base Claim 11, as amended. Therefore, it is respectfully submitted that dependent Claims 12-16 and 31 are in a condition for allowance for at least the same reasons discussed above for Claim 11.

Claims 18 and 19 depend from the independent Claim 17 and are thus in a condition for allowance for at least the same reasons as discussed above for Claim 17.

Dependent claim 6 is additionally allowable. Both Rose et al. and the cited portion of Guerindon et al. do not disclose sending a copy of an order to any one of the three listed people.

Independent claim 21 claims automatically generating and sending an electronic order to a supplier of one or more of the removed manufacturing pieces in response to the sensing. As discussed above for Claim 1, Rose et al. do not disclose this limitation. Scotti appears to be directed toward replenishment indicators, and does not appear to contemplate electronic ordering from a supplier. It is respectfully submitted, therefore, that at least one element of Claim 21, as amended, is absent from the cited art, and any alleged combination would still not result in a combination having each element of the rejected claim.

Claims 22-24 distinguish from the cited art at least on the same basis, and are therefore also in a condition for allowance.

Referring to Claims 25-26, neither Rose et al. nor Scotti appear to disclose: a system for automated replenishment notification for manufacturing pieces, comprising a rack, a sensor adjacent to the rack, the sensor positioned to sense a presence of a manufacturing piece on the rack, and a processor connected with the sensor, the processor operable to generate an electronic order in response to a signal from the sensor indicating a lack of the manufacturing piece, operable to communicate the electronic order to another processor, operable to sense a lack of replacement of the manufacturing piece after a time period in response to the sensor and operable to generate a notification in response to the lack of replacement. Applicant additionally relies on arguments presented with reference to the §103(a) rejections of similar claims, above. It is respectfully submitted, therefore, that at least one element of Claims 25 and 26, as amended, is absent from the cited art, and any alleged combination would still not result in a combination having each element of the rejected claim. Therefore, at least one prong of the three-prong test

for obviousness has not been satisfied, and a *prima facie* case of obviousness pursuant to §103 of the patent statute has not been made. It is, therefore, respectfully submitted that Claims 25 and 26, as amended, are in condition for allowance.

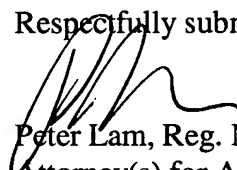
CONCLUSION

In view of the foregoing, it is respectfully submitted that all of the claims pending in this patent application, as amended, are in condition for allowance. If the Examiner has any questions, he is invited to contact the undersigned at (650) 943-7350 or Craig Summerfield at (312) 321-4726. Reconsideration of this patent application and early allowance of all the claims is respectfully requested.

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